



Nez Perce

TRIBAL EXECUTIVE COMMITTEE

P.O. BOX 305 • LAPWAI, IDAHO 83540 • (208) 843-2253

Ms. Susan Morales
EPA Region 10
1200 Sixth Avenue, Suite 900
Mailstop: ECL-112
Seattle, WA 98101

January 29, 2018

Re: Brownfield Assessment Grant Application for Fort Lapwai, Lapwai, Idaho

Dear Ms. Morales,

This letter serves as the Nez Perce Tribe's Narrative Information Sheet for a Brownfield Assessment Grant application for hazardous substances and petroleum. This cover letter follows the outline of required elements as described in the Proposal Guidelines Section IV.D for Brownfields Assessment Grants, RFP NO: EPA-OLEM-OBLR-18-06.

1. Applicant Identification:

Nez Perce Tribe
P. O. Box 365
Lapwai, Idaho 83540

2. Funding Requested:

- a. Assessment Grant Type: Site-specific
- b. Federal Funds Requested:
 - i. \$350, 000.00
 - ii. The Nez Perce Tribe is requesting a Site-specific Assessment Grant waiver of the \$200,000 limit.
- c. Contamination: Hazardous substances (\$336,000.00) and Petroleum (\$14,000.00)

3. Location: a) Lapwai, b) Nez Perce County c) Nez Perce Reservation

This proposal will serve Fort Lapwai, a 30 acre Tribally owned property located within and adjacent to the city of Lapwai, Idaho, the seat of government for the Nez Perce Tribe.

4. Property Information for Site-Specific Proposals: Ft. Lapwai (aka: BIA Compound or Parade Ground) 215 Parade Ave, Lapwai, Idaho, 83540

5. Contacts:

- a. Project Director:
Jessica Banaszak, TRP Project Manager

Water Resources Division
Nez Perce Tribe, PO Box 365, Lapwai, Idaho 83540
Telephone: (208) 843-7368 x3902
email: jessicab@nezperce.org

b. Chief Executive/Highest Ranking Elected Official:
Mr. Shannon Wheeler, Chairman,
Nez Perce Tribe Executive Committee
Nez Perce Tribe, PO Box 305 Lapwai, Idaho 83540
Telephone: (208) 843-7342 x3685
email: shannonw@nezperce.org

6. Population:

The community of Lapwai has a population of 2,529 people per American Fact Finder based on the 2015 American Community Survey. The community of Lapwai has a population of 1,828 Tribal members (72.3%) and 701 non-tribal members (27.7%).


7. Other Factors Checklist:


Other Factors	Page #
Community population is 10,000 or less.	1
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	1
The priority brownfield site(s) is impacted by mine-scarred land.	N/A
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	4
The priority site(s) is in a federally designated flood plain.	4
The redevelopment of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	3
30% or more of the overall project budget will be spent on eligible reuse planning activities for priority brownfield site(s) within the target area.	8

8. Letter from the State or Tribal Environmental Authority:

Eric Traynor, Idaho Brownfield Program Manager, State of Idaho, Department of Environmental Quality (IDEQ) has provided a letter indicating that the IDEQ Coeur d'Alene Office has been informed and is supportive of our intent to submit a Brownfields Assessment application for our Ft. Lapwai Assessment Project.

Sincerely,



 Mr. Shannon Wheeler, Chairman



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 N. Hilton • Boise, ID 83706 • (208) 373-0502
www.deq.idaho.gov

C. L. "Butch" Otter, Governor
John H. Tippetts, Director

January 10, 2019

Mr. Shannon Wheeler, Chairman
Nez Perce Tribe
P.O. Box 305
Lapwai, ID 83540

Dear Mr. Wheeler:

This letter acknowledges that the Nez Perce Tribe notified the Idaho Department of Environmental Quality (IDEQ)—the designated State Environmental Authority—that the Nez Perce Tribe is submitting a Brownfields Site Specific Assessment grant application. The notifications to IDEQ satisfy the notification criterion of the EPA Proposal Guidelines for Brownfields Assessment Grants.

The application is focusing on the Fort Lapwai Tuberculosis Sanatorium/BIA North Idaho Agency. Three circa 1920 buildings in the Fort Lapwai Complex are eligible for listing on the National Historic Register. The property has a rich history which dates back to 1863 when Fort Lapwai was constructed and became part of the new Idaho Territory. Over the years it has been used as a school and a tuberculosis sanatorium. The sanatorium closed in 1945. In 1953 the school district received approval to use for k-7 classes. In 2014 the school district abandoned the property. The property and buildings are blighted and there is community interest to revitalize the property.

IDEQ supports the Nez Perce Tribe in their Brownfields Site Specific Assessment grant application. The goals of the grant application are to assess the blighted, vacant, and abandoned structures for the potential presence of hazardous substances. IDEQ believes the stated goals in the grant meet the mission for Brownfields assessment and redevelopment.

Very truly yours,

A handwritten signature in black ink, appearing to read "Eric Traynor".

Eric Traynor
Brownfields Response Program Manager
Idaho Department of Environmental Quality
Phone: (208) 373-0565
Email: eric.traynor@deq.idaho.gov

IV.E. Narrative/Ranking Criteria

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields

1.a.i. Background and Description of Target Area: For the purposes of this proposal, the targeted area is Fort Lapwai (aka BIA Parade Grounds), a 30-acre parcel of land on the Nez Perce Reservation in the community of Lapwai, Idaho. Fort Lapwai is a complex site with a complicated history that is intertwined with Nez Perce history. The site has been occupied by the Tribe, U.S. Army, Bureau of Indian Affairs (BIA), Indian Training School, and Lapwai School District. Site use has included Tribal encampments, army occupation, a regional tuberculosis sanitarium, a government Indian boarding school, and a public elementary school. The site currently consists of several buildings with multiple types of hazardous materials present.

After the 1863 gold rush and the 1865 treaty, which severely diminished the boundaries of the Nez Perce Reservation, Fort Lapwai began to lose its value as a military installation and was abandoned by the U.S. Army. In 1885, the fort was given to the Lapwai Indian Agency and subsequently converted into a boarding school which forced cultural integration upon Indian children. By 1910, a tuberculosis epidemic became a public health emergency on the reservation, resulting in the establishment of a Tuberculosis Sanatorium on the site of Fort Lapwai utilizing the former army hospital and boarding school dormitories. Many Indians, including children, died in isolation from their families. Their deaths became associated with forced education and directly contribute to the historical trauma still experienced today. Recognizing and healing the historical trauma will be necessary components of any assessment and redevelopment process for the Tribe.

In the 1920's the BIA transferred ownership of Fort Lapwai buildings, including the Sanatorium and Indian Schools, to Lapwai School District No. 341 for as long as they used the facilities for educational purposes. During this period, little historical documentation remains and the BIA buildings had multiple purposes, but eventually the properties became derelict and the property reverted back to Tribal ownership in 2015. Like many other tribal governments, the Nez Perce Tribe is confronting poverty and its collateral damage of crime, unemployment, family disruption, housing shortage, and lack of educational and employment opportunities for its members, all while having large tracts of land and/or buildings that are in need of assessment so that the sites can return to productive use and benefit for the community. The tribal government attempts to address these problems, but its programs and needs are chronically and unavoidably under-funded and in need of support from outside sources.

The Tribe's Tribal Response Program (TRP) has the skill and knowledge to conduct and manage the assessment of Fort Lapwai. However, considerable funding beyond the \$200,000 grant level is required to fully assess this large a site with such complex contamination issues. Therefore, the Tribe is requesting a waiver of the \$200,000 grant limit and requesting \$350,000 for the three-year grant period. The proposed activities are in line with and support EPA's FY 2018-2022 Strategic Plan, Goal 1 – Core Mission, Objective 3 – Revitalize Land and Prevent Contamination.

1.a.ii. Description of the Priority Brownfield Site(s) The TRP, Nez Perce Tribal Council, and community action committees have prioritized Fort Lapwai for assessment. The primary factors in prioritizing the Fort Lapwai site are the potential impact to public health and welfare and to the environment. Public health and welfare impacts occur through exposure to hazardous materials due to usage of some of the buildings on the site and the site's location adjacent to the

Lapwai Elementary School. Potential environmental impacts are due the site's close proximity to Lapwai Creek which supplies water to the Clearwater Watershed, BIA Parade Ground buildings, and City of Lapwai municipal water wells. The site is also located within a federally designated floodplain. The specific buildings and associated hazardous materials are discussed in more detail below:

A) The Tuberculosis Sanatorium was constructed by the BIA circa 1920. The buildings were later used by Lapwai School district, and in 2015 the School District abandoned their interest in the properties and the ownership has reverted back to the Tribe, which now has full ownership and access rights. Three brick buildings with classic-period architecture including embossed tin ceiling tiles and quality finish-carpentry details are eligible for listing on the National Historic Register. The buildings occupy prominent positions around the parade grounds of old Fort Lapwai. Two of the buildings are vacant and deteriorating. Asbestos, PCB caulking, lead-based paint, radon, mold, and vermin droppings are not the only reasons the buildings were vacated. The emotional trauma associated with these buildings has contributed to their continued abandonment. Today, children play in and around the structures - exposing themselves to hazardous materials. The third building was constructed as a kitchen and lunchroom for the Lapwai Indian School. The building is partially occupied the Tribal Social Services office, but the basement is closed off with evidence of stabilized asbestos tiles (covered in plastic), asbestos pipe insulation (temporarily stabilized), and radon (labeled) remediation ventilation piping. These buildings are located adjacent to the Lapwai Elementary School, putting a vulnerable population at an increased risk from exposure. Underground steam tunnels extending over 1,000-ft. from a former coal fired boiler room connect to the BIA Agency buildings. The steam tunnels have not been used for decades and their exact locations are unknown. These tunnels may contain asbestos and other contaminants.

B) The Fort Lapwai Officers' Quarters (built in 1883) is a two-story, clapboard structure that has been shuttered for decades and is the only remaining original structure from Fort Lapwai. It was converted to a residential duplex in the early 1900s to house teachers at the Indian school. The building is listed on the National Register of Historic Places, and the exterior of the building is curated by the Nez Perce National Historic Park. However, the interior is currently unoccupied and likely contains asbestos, lead-based paint, PCB caulking, and mold.

C) Eight buildings from the former teacher and medical residences built circa 1920 on Tribal Trust property have been converted to Tribal governmental buildings, and currently house several programs including the Nez Perce Tribe Children's Home and the Day Care Center, potentially putting employees and young children at risk of exposure. These buildings also likely contain asbestos, lead-based paint, PCB caulking and mold.

D) The BIA maintenance shop, now vacant, may contain hazardous materials from the decades of use in facilities and vehicle maintenance. The TRP suspects that the shop may have a motor vehicle waste fluids injection well and petroleum contamination.

E) The former Lapwai School District Superintendent's Residence is vacant and deteriorating, and likely contains asbestos, lead-based paint, PCB caulking, vermin, and mold.

b. Revitalization of the Target Area

bi. Redevelopment Strategy and Alignment with Revitalization Plans All the revitalization plans in the region are focused on the Lapwai Community. Lapwai has the largest Indian population (72.3%) on the Nez Perce Reservation, and is home to the Nez Perce Tribe's governmental complex. The assessment and subsequent remediation of these targeted Brownfields must take place before the Tribe can pursue their long-term redevelopment goals. For the past several years, the issue of what to do with the buildings at the Fort Lapwai site has been discussed again and again at various departmental meetings - and each time a decision has been deferred, due to limited or unavailable local funding and uncertainty regarding the extent of toxins on site. The Nez Perce Tribal Council is ready to address full revitalization of the site but cannot move ahead without knowing fully which option(s) for the aforementioned structures would be best. A determination is needed to address costs, i.e., demolition, remediation, rebuilding.

1) At this time, the Tribal Council is considering redevelopment of this 30-acre parcel as a Nez Perce Tribe Administrative Campus for more than 400 Tribal employees. The campus would serve as the centralized government seat for several departments, thereby consolidating services and programs which are currently scattered as much as 60 miles apart on the reservation, with resulting efficacy in serving Tribal members. Planning meetings for the administrative complex have been ongoing for several months.

2) Solicitation of federal funding for full development of a Nez Perce Land Use Plan is underway (Spring 2019). The plan has the support of Tribal Council and department managers and is considered a highest priority for the Tribe. Therefore, the timing is right for the assessment, as it will be completed while the Land Use Plan is being finalized and will determine the best options for facility revitalization or construction to meet the short and long term goals of the Tribe. Without the brownfield assessment in hand, alternatives identified in the land use plan can only be speculative at best.

3) A comprehensive plan has been completed for a proposed new Education Center for the Tribe, with consideration of the Fort Lapwai site as ideal for this purpose. The Education Center would serve as an anchor for the proposed administrative campus.

4) Overall, the Nez Perce Tribe has outgrown its current governmental offices. Hiring is discouraged in all departments as there is no available space for additional work stations. There are several examples of critical need for the relocation of programs into new facilities at Lapwai, such as the HeadStart program, which is in need of 11 classrooms to serve is 200+ students. The program currently operates from aged, dilapidated trailers which leak, offer little natural light, and are located close to a busy highway.

Revitalization of the proposed brownfield site will increase foot transportation opportunities by creating safe pedestrian corridors to connect the tribal government areas with residential areas and schools. This Brownfields Assessment Grant will start the process to provide the Tribal community with the same level of protection from environmental and public health hazards that many other communities enjoy and will give the community members input into the decision-making process for the assessment, remediation or demolition, and subsequent redevelopment of the identified areas. Not only will this provide much-needed space for Tribal

government offices, it will help contribute to the process of healing from the historical trauma that occurred at this site.

bii. Outcomes and Benefits of Redevelopment Strategy The brownfield assessment will lead directly to redevelopment and will steer the course of the Nez Perce Land Use Plan with lasting impact. Development of green space (pedestrian walkways, community gardens, and recreational areas) and use of renewable energy systems are highest priorities of the Nez Perce Tribe, whose heritage and culture are based on a sense of place, connection to nature, and respect for the environment. Regardless of whether the buildings are demolished or remediation occurs, green space and renewable energy (solar) will be incorporated into site redevelopment. The brownfield assessment will address not only what is above the ground (buildings) but also the extent of contamination from the maze of tunnels underneath. Because children, youth and adults already use the buildings' vacant grounds for recreation, there is significant public health risk. A major outcome will be knowing what toxins and levels are present, and what remediation is needed.

c. Strategy for Leveraging Resources

c.i. Resources Needed for Site Reuse A Brownfield Assessment grant will enable the Tribal community to take the first step in moving forward with economic growth in the community as the probability of site contamination is preventing development in the areas. The Tribe's current progressive leadership, a slowly improving economy, a more highly educated workforce, shifting demographics, and deepened respect for culture and tradition now provide a timely, necessary framework on which a comprehensive, redevelopment planning effort can build. Tribal Council has called for initiatives for self-sufficiency, empowerment, energy efficiency, and personal and community development. Community stakeholders interested in the Tribes successful assessment of Fort Lapwai include the City of Lapwai, Lapwai School District, National Park Service, and Clearwater Economic Development Association (CEDA). The Tribe has utilized the diverse expertise offered by our two land grant universities in Moscow, ID and Pullman, WA.

The Tribe will also be able to leverage the assessment results for remedial action. Potential sources of funding for reuse or redevelopment include HUD, USDA, U.S. Department of Commerce, and U.S. Department of Energy. The brownfield assessment findings will be incorporated as a highest need into subsequent grant applications to multiple agencies. The Tribe also has the ability to apply for brownfield clean up loans through the regional CEDA.

c.ii. Use of Existing Infrastructure Without addressing the need to assess and remediate brownfield areas, the Tribe cannot move forward in addressing the critical need for infrastructure development. The Tribal Council is working toward establishing its own utility commission and updating its comprehensive land use plan. Once the assessment report is received, the Tribe will know to what extent and at what cost the buildings and utilities on site can be utilized in redevelopment. Currently, there is a need for a new municipal water system at the Fort Lapwai site; this is a priority for the Tribe. Aged, inefficient wells with known contaminants in the drinking water (nitrates, *E. coli*) from some already-identified sources threaten public health and safety on site.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need

2.a.i. The Community's Need for Funding The Nez Perce Tribe is a federally recognized tribe with Tribal government headquarters located in the small, rural community of Lapwai, Idaho (Pop. 2,529) on the Nez Perce Reservation. Tribal members make up over 70% of the City of Lapwai's population, resulting in an extremely small tax base for the City and making it difficult to raise the financial base needed for basic services within the community, let alone assist with any type of brownfield assessment, remediation or redevelopment. The proposed brownfield assessment addresses a recognized problem and is critical to the economic, social and cultural viability of the Tribe and the community in which it is based.

The Nez Perce Reservation and the counties that overlay it are economically distressed. The nearest large employment base at Lewiston, while close to Lapwai, has a distance of 70 miles or more for many tribal members. Pockets of the reservation have as many as 35.95% of residents living below the federal poverty level. The majority of housing is low to mid income. Area residents are classified as highly rent burdened.

2.a. ii. Threats to Sensitive Populations

(1) Health or Welfare of Sensitive Populations: Known asbestos, lead paint, PCB caulking, vermin and mold are present in the buildings at the Fort Lapwai site in the heart of Lapwai. These buildings were permanently closed 15 years ago following years of complaints of headaches, nausea and other physical ailments that numerous children and employees complained of while at the buildings. Absence of public transportation prevents poor residents in isolated areas from accessing social services and the Tribal medical facility (Nimiipuu Health). See Demographics table below.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions: At 10.4% of the total Tribal population, the Nez Perce Tribe has the highest diabetes rate of any Tribe in the Northwest according to Indian Health Services data reported last year by Nimiipuu Health (the Nez Perce Tribal medical center). Obesity rates are similarly concerning. Data on asthma rates for children and elderly were not available from Nimiipuu Health. The ongoing threat to public health from the brownfield site only exacerbates health risks for an already-at-risk Tribal population.

(3) Economically Impoverished/Disproportionately Impacted Populations: The Nez Perce Tribe faces several socio-economic challenges including persistent poverty, high unemployment, geographic isolation, lack of transportation, and lack of economic opportunity. The Nez Perce Tribal Prosecutor Office states that the Juvenile Court hears 30 to 50 cases and the Criminal Court hears over 400 cases from the Lapwai Community per year. The following table provides demographic information. The City of Lapwai statistics are essentially Nez Perce Tribe statistics as the community is largely Native American.

	City of Lapwai	Nez Perce County	Statewide	National
Population:	2,529 ²	40,369 ¹	1,683,140 ¹	323,127,513 ¹
Percent Minority:	83.4% ⁵	12.9% ¹	17.6 ¹	37.8% ¹
American Indian populations	72.3 % ⁵	6.0% ¹	1.8% ¹	1.3% ¹
Unemployment:	16.6% ⁵	2.3% ⁴	2.8 % ³	4.2% ³
Poverty Rate:	19.7% ²	13.5% ¹	14.4 % ¹	12.7 % ¹
American Indian Poverty Rate	65.9% ⁹	9.7% ⁹	2.4% ⁹	1.5% ⁹
Median Household Income:	\$45,167 ²	\$48,160 ¹	\$47,583 ¹	\$53,889 ¹
Per Capita Income	\$15,524 ⁹	\$25,177 ⁹	\$23,399 ⁹	\$28,930 ⁹

Food Insecurity Rate	16.5% ⁸	14% ⁷	14% ⁷	12.9% ⁶
Food Stamp Participation	19.2% ⁹	12.8% ⁹	12.7% ⁹	13.2% ⁹
Percent of People w/ Disabilities	22.5% ⁹	17.6% ⁹	12.9% ⁹	12.4% ⁹
1. Data retrieved from U.S. Census Bureau QuickFacts selected: Nez Perce County, Idaho; Idaho; UNITED STATES 2016 Estimates available at: https://www.census.gov/quickfacts/fact/table/nezpercecountyidaho.ID.US/PST045216 2. Data retrieved from the U.S. Census Bureau American FactFinder Zip Code selected 83540 2015 American Community Survey https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml 3. 09/2017 Idaho Unemployment Rate http://www.deptofnumbers.com/unemployment/idaho/ 4. 08/2017 Nez Perce County Unemployment Rate https://www.homefacts.com/unemployment/Idaho/Nez-Perce-County.html 5. Data retrieved from USA City Facts based on 2010 census data: http://www.usacityfacts.com/id/nez-perce/lapwai/economy/ 6. Data retrieved from United States Department of Agriculture 2016 Statistical Supplement to Household Food Security in the United States Table S-2 https://www.ers.usda.gov/webdocs/publications/84981/ap-077.pdf?v=42979 7. Data retrieved from Feeding America 2015 Food Insecurity Report: http://www.feedingamerica.org/research/map-the-meal-gap/2015/MMG_AllCounties_CDs_MMG_2015_1/ID_AllCounties_CDs_MMG_2015.pdf 8. Data Retrieved from Lapwai Commodity Foods Manager O. Thunder Garcia 9. Data Retrieved from Economic Profile System parent firm of Headwaters Economics that uses published statistics from federal data sources, https://headwaterseconomics.org/				

2b. Community Engagement

2.b.i. Community Involvement The community of Lapwai is comprised of the Nez Perce Tribe, the City of Lapwai, and the Lapwai School District. These entities are totally committed to the development and revitalization of the Lapwai community and to the activities outlined in this proposal. The City and School District have repeatedly supplied support letters in the past for the Tribe's brownfields assessment grant proposals and remain committed to assisting with this grant if awarded. Other community partners who will be involved in the implementation of this grant include the Nez Perce Tribe Housing Authority, National Park Service, and Clearwater Economic Development Association. Idaho DEQ has also expressed support for the proposal.

The Tribal Council will provide governmental oversight. The Water Resources Division and TRP staff will provide project implementation and direct oversight. Water Resources will also provide technical assistance regarding RFQ process, research and mapping. The City of Lapwai will provide relevant data, outreach to community members and business owners, and host one of the public meetings. The Lapwai School District will provide outreach to area families and host one of the meetings. The Housing Authority will assist with planning for reuse or redevelopment and host one of the meetings. The National Park Service will provide technical assistance as needed and historical information regarding cultural resources. The Clearwater Economic Development Association and Idaho DEQ will provide regional support and technical assistance as needed. In addition, the Lapwai Community Action Team (L-CAT) will be deeply engaged throughout the assessment process.

2.b.ii. Incorporating Community Input The Tribal Response Program (TRP) staff will initiate and provide support for public involvement in the assessment and cleanup planning process and work with community partners to communicate project plans, milestones, and updates to the general public. The Public will be given timely information regarding the project and allowed to participate in a variety of ways. TRP staff and community non-profits will initiate and provide support for public involvement in the assessment and cleanup planning process and communicate project plans, milestones and updates to the general public. Public meeting notices and updates will be communicated to the public through inclusion in utility statements and take-home notices to parents from local schools.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a. Description of Tasks and Activities

Project Management and Reporting- Grant Request: \$16,618.00. The project will be managed by TRP staff experienced in Brownfield Grants administration. This task involves completing all reporting requirements, overseeing the grant budget and the implementation, oversight and completion of the grant activities identified below. \$3280.00 in travel is included to attend the EPA National Brownfield Conference to present the project results.

Community Outreach - Grant Request: \$9,560.00. The TRP staff will initiate and provide provision for public involvement in the project assessment and cleanup planning process over the grant performance period and beyond. Three public meetings will be hosted by the TRP at the beginning of project, after initial data collection is completed, and during or after ABCA is completed. The general public will be given timely communication and information on project milestones, and updates. The TRP will utilize a site informational kiosk, dedicated web page on Water Resources Website and public service announcements. Public meeting notifications will be announced through local newspapers, radio, Tribal mass electronic communications, utility statements and take-home notices to parents from local schools. Supplies for this task are estimated at \$1,496.00.

Phase I Assessment – Grant Request: \$53,375. The Phase I ESAs will follow all appropriate inquiry as specified in ASTM Standard E1527-13. Preliminary work to conduct a Phase I ESA has been ongoing for six years in collecting locally archived records documenting the occupation of the multiple structures by multiple entities. The Phase I ESA for Hazardous Substances is complicated because a Section 106 report is required by National Historic Preservation Act (NHPA) for this project. To develop a Section 106 report, a qualified archeological consultant will be contracted to perform an archeological assessment of Fort Lapwai and the cultural impacts significant to the Tribal community. A third-party independent historian, certified pursuant to Section 101(d)(2) of the NHPA, will be contracted to review all known documents archived in multiple universities and government entities in Idaho, Oregon and Washington and report to Tribal Historic Preservation Officer (THPO). A public meeting will be held to review the report. The contracted amount for the Section 106 report is estimated at \$45,000.

Phase II ESAs – Grant Request: \$ 196,688.10 (Petroleum, \$13,337.00 and Hazardous Substances, \$173,985.00). The TRP will assesses the petroleum portion of the Phase II ESA for anticipated legacy heating oil tanks and investigate the motor vehicle waste fluids injection well at the BIA maintenance shop utilizing expertise developed from managing the Tribal LUST Assessment Program. The Phase II Hazardous Substance portion of the ESA will assess Fort Lapwai. Estimated bids totaling \$174,500.00 were solicited for contractual expenses for asbestos, PCB, lead-based paint, and mold sampling from environmental contractors; structural engineering assessment to determine building integrity in three structures for future and anticipated asbestos removal; and geophysical surveying to map the locations of steam tunnels containing remaining asbestos-covered steam lines and other unknown underground utility service lines that are likely lead water pipes and asbestos sewer lines; and an excavator, disposal of investigation derived waste and rental of an X-Ray Fluorescence Metal Analyzer to measure lead paint concentrations.

Cleanup/Redevelopment/Reuse Planning – Grant Request \$66,458.00. Development of Analysis of Brownfield Cleanup Alternatives (ABCA) report will be a produced as cooperative

effort with the TRP, environmental contractors and structural engineer (estimated bid for report and presentation totals \$55,000.00). The report will summarize the information about the Fort Lapwai site contamination and cleanup standards; applicable laws; and an analysis of cleanup alternatives. The proposed cleanup plan will be presented in two facilitated meetings to the Tribal Council and community. The TRP will work in partnership with local and community organizations on public outreach and planning activities associated with the cleanup and redevelopment process. \$4,000 is included for contracted services to provide an impartial and culturally sensitive professional moderator to lead community discussions involving the historical trauma resulting from the Tuberculosis Sanatorium and Indian School.

3b. Cost Estimates and Outputs

Budget Categories		Project Tasks (\$)						Total
		Proj Mgt & Reporting	Community Outreach	Phase 1 ESA	Phase 2 ESA Hazmat	Phase 2 ESA Petroleum	Reuse Planning	
Direct Costs	a. Personnel Total	\$9,217.00	\$5,573.00	\$5,787.00	\$6,508.00	\$2,691.00	\$4,716.00	\$34,492.00
	b. Fringe Benefits	\$4,121.00	\$2,492.00	\$2,588.00	\$2,602.00	\$1,021.00	\$2,108.00	\$14,932.00
	c. Travel	\$3,280.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,280.00
	d. Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	e. Supplies	\$0.00	\$1,495.72	\$0.00	\$0.00	\$0.00	\$633.62	\$2,129.34
	f. Contractual	\$0.00	\$0.00	\$45,000.00	\$164,875.00	\$9,625.00	\$59,000.00	\$278,500.00
	h. Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	i. Total Direct Costs	\$16,618.00	\$9,560.72	\$53,375.00	\$173,985.00	\$13,337.00	\$66,457.62	\$333,333.34
j. Indirect Charges @ 5%		\$830.90	\$478.04	\$2,668.75	\$8,699.25	\$666.85	\$3,322.88	\$16,666.67
Total Budget		\$17,448.90	\$10,038.75	\$56,043.75	\$182,684.25	\$14,003.85	\$69,780.50	\$350,000.00
% of Project		5.0%	2.9%	16.0%	52.2%	4.0%	19.9%	100.0%

Project Management and Reporting			
Budget Category	Amount	Cost	Total
Pro. I – Team Leader 0.15 FTE @ \$31.02/hour	320/hr	\$9,925.81	\$13,338.00
Pro. I – Technician 0.05 FTE @ \$31.02/hour	110/hr	\$5,424.74	
Pro. III Division Manager 0.02 FTE @ \$43.50/hour (salary + fringe for all entry)	40/hr	\$1,739.96	
National Brownfield Convention Attendance travel for two people: Flight @ \$700.00 x2=\$1400; Per Diem @ 5 days x2=\$1880.00		\$1,640.00	\$3,280.00
Project Direct Cost Total			\$16,618.00
Community Outreach			
Pro. I – Team Leader 0.07 FTE @ \$31.02/hour	140/hr	\$4,342.54	\$8,065.00
Pro. I – Technician 0.06 FTE @ \$31.02/hour (salary + fringe for all entry)	120/hr	\$3,722.18	
Newspaper Announcements @ \$300.00 x2 = \$600.00 + Kiosk Construction @ \$300.00 + Public Meetings @ \$65.00 x 6 = \$390.00 + Publications/Flyers @ 500 x \$0.21 = \$106.00 + Office supplies = \$100			\$1,496.00
Project Direct Cost Total			\$9,560.00
Phase I Environmental Site Assessment (ESA)			
Pro. I – Team Leader 0.091 FTE @ \$31.02/hour	190/hr	\$5,893.45	\$8,375.00
Pro. I – Technician 0.05 FTE @ \$31.02/hour (salary + fringe for all entry)	80/hr	\$2,481.45	
Contractual- NHPA Sec 106 Report + Historic File Review at off site locations for Phase 1 ESA			\$45,000.00
Project Direct Cost Total			\$53,375.00

Phase II Hazardous Environmental Site Assessment (ESA)			
Pro. I – Team Leader 0.091 FTE @ \$31.02/hour Pro. I – Technician 0.05 FTE @ \$31.02/hour Pro. II Tribal Archeologist 0.019 FTE @ \$35.37/hour (salary + fringe for all entry)	180/hr 80/hr 40/hr	\$5,543.41 \$2,169.65 \$1,396.05	\$9,110.00
Contractual- Asbestos Assessment (bid estimate) @ \$58,855.00 + Analytical @ \$13,820.00 + Structural Assessment for structural safety & ABCA Report (bid estimate) @ \$55,000.00 + Excavator & Operator @ \$140.00 x 40/hr = \$5,600.00 + Disposal of Invest. Derived Waste @ \$75.00 x 48/lb = \$3,600.00 + X-Ray Fluorescence Metal Analyzer rental for Lead Assessment @ \$4,000.00 + Geophysics of site (GPR Survey bid estimate) @ \$24,000.00			\$164,875.00
Project Direct Cost Total			\$173,985.00
Phase II Petroleum Environmental Site Assessment (ESA)			
Pro. I – Team Leader 0.091 FTE @ \$31.02/hour Pro. I – Technician 0.05 FTE @ \$31.02/hour Pro. II Tribal Archeologist 0.019 FTE @ \$35.37/hour (salary + fringe for all entry)	40/hr 40/hr 40/hr	\$1,231.87 \$1,231.87 \$1,396.05	\$3,712.00
Analytical @ \$2,900.00 + Excavator & Operator @ \$140.00 x 40/hr = \$5,600.00 + Disposal of Invest. Derived Waste @ \$75.00 x 15/lb = \$1,125.00			\$9,625.00
Project Direct Cost Total			\$13,337.00
Clean Up Planning			
Pro. I – Team Leader 0.06 FTE @ \$31.02/hour Pro. I – Technician 0.05 FTE @ \$31.02/hour (salary + fringe)	140/hr 80/hr	\$4,342.54 \$2,481.45	\$6,824.00
Supplies @ \$634.00			\$634.00
Contractual – Public Meeting Facilitation @ \$2000.00 x 2 meetings = \$4000.00 (bid estimate) + Structural ABCA Report (bid estimate) = \$30,000.00 + Asbestos Report (bid estimate) = \$ 25,000.00			\$59,000.00
Project Direct Cost Total			\$66,458.00

3.c. Measuring Environmental Results The TRP will develop a detailed Work Plan with a basis for tracking and measuring progress on project outputs and outcomes. The Work Plan will outline the basic task requirements and a schedule of deliverables designed around the tasks and the milestones. A list of the basic tasks, outputs, and outcomes can be found in the table below. The TRP will meet regularly with contractors to review project progress to keep the project on schedule and within budget. The TRP will report this information in quarterly reports using EPA forms and the ACRES reporting system.

Task	Output	Outcome
Project Management	Project management and reporting outputs	Completion of Brownfield Assessments at Fort Lapwai
Community Outreach	Print/voice/online media to inform stakeholders and receive input	An informed community actively involved in the assessment and cleanup planning process
Phase I ESA	Phase I ESAs; conducted by TRP staff using ASTM Standard E1527-13	Report on Phase I ESAs
Phase II ESA	Phase II ESAs; may use environmental contractors	Report on Phase II ESAs
Cleanup Planning	Report on Phase I ESAs and Phase II ESAs	Analysis of Brownfield Cleanup Alternatives (ABCA)

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability

ai. Organizational Structure The Nez Perce Tribe Water Resources Division Brownfield TRP will manage the grant. The Director of Water Resources oversees the TRP staff including the TRP Project Manager and Technician. Ken Clark is the Director of Water Resources. Ken has a Professional Science Master (PSM) in Natural Resources and Environmental Science, with an emphasis in Water Resources Management. He has more than ten years' experience in Water Resources, eight years with the Tribe. Jessica Banaszak is the Project Manager for the Brownfields TRP and will serve as the Fort Lapwai Brownfield Assessment Grant Manager and Team Leader. She has a B.S. in Geology, and is an Idaho Registered Professional Geologist in Training. Judy Goodson, TRP Technician, is an LSIT, Federal UST Inspector and GIS specialist. She has a B.A.S. in engineering technology and is a Recognized Environmental Professional as defined under 40 CFR 312.10. She will provide GIS services, records research for ownership history, and technical assistance to support contractors in Phase I and II ESAs.

aii. Acquiring Additional Resources The Tribe has established procedures for competitive procurement which will be followed. The procedures include advertising the bid solicitation, and, depending on the amount of the contract, obtaining bids from at least three independent vendors or contractors, then submitting a requisition to the Finance Department that includes signatures from the employee and immediate supervisor plus the Program/Division Director.

b. Past Performance and Accomplishments

bi. Currently Has or Previously Received an EPA Brownfields Grant The Nez Perce Tribe's Water Resources Division (WRD) has received funding through CERCLA 128(a) Tribal Response Program for 12 years and is currently working under agreement RP# 96046312.

(1) Accomplishments WRD received a Brownfield Assessment Grant RP #00J95701, a \$200,000 award for Tribal Unit 45 (ACRES #157983), which terminated September 30, 2017. Notable outputs include successful completion of Phase I ESA – including the identification of seven recognized environmental conditions (RECs), EPA approvals of the Project Work Plan, and site specific QAPP/Sampling Analysis Plan. The Phase II ESA included soil sampling, drilling and sampling 16 groundwater monitoring wells, a geophysical investigation and removal of an UST. These outputs and outcomes and other successes can be found in ACRES and are further detailed on the public record page at www.nptwaterresources.org.

(2) Compliance with Grant Requirements The Nez Perce Tribe's WRD has complied with the accepted work plans and terms and conditions of TRP grants for 14 years and has expended most budgeted funding. The TRP has a demonstrated ability to successfully manage federal or non-federal grants and the performance of all phases of work under each grant.

ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements Not Applicable

iii. Never Received Any Type of Federal or Non-Federal Assistance Agreements Not Applicable

IV.F. Leveraging Not Applicable

IV.G. Additional Provisions for Applicants Incorporated into the Solicitation Not Applicable

III.B. Threshold Criteria for Assessment Grants

1. Applicant Eligibility The Nez Perce Tribe, a federally recognized Indian tribe, is eligible for Brownfields Assessment funding as an Indian tribe other than in Alaska, as defined in the Request for Proposal.

2. Community Involvement The Tribal Response Program (TRP) staff will initiate and provide support for public involvement in the assessment and cleanup planning process and work with community partners to communicate project plans, milestones, and updates to the general public. The Public will be given timely information regarding the project and allowed to participate in a variety of ways.

- An informational kiosk will be erected onsite at the north entrance of Fort Lapwai. The kiosk will display posters, maps, and informational flyers along with contact information regarding how to learn more and/or provide input.
- A dedicated page on the Water Resources Website will act as a clearing house for information and providing comments.
- Community partners will host six public meetings: at the beginning of project, after initial data collection is completed, and during or after ABCA is completed. The proposal budgets \$65 per meeting to help with costs. If scheduling conflicts arise or additional public meetings are needed, they will be held at the Teweepuu Community Center.
- Presentations to Tribal Executive Council. The TRP Project Manager will give presentations to Tribal Council on dates approximately corresponding to the Public Meetings, when opinions need to be solicited from Tribal Leaders, or when information regarding the Phase 2 ESA is available for distribution.
- Internet surveys will be conducted using Survey Monkey to share information and allow directed feedback to specific alternatives.
- Public service announcements or public meeting notifications will be announced through local newspapers and radio. Based on previous advertising experience \$300/per announcement is reasonable to advertise in each of the four newspapers of record: Lewiston Morning Tribune (Lewiston), Clearwater Tribune (Orofino), Clearwater Progress (Kooskia), and the Nimiiipuu Tribal Tribune (Lapwai). The Tribal radio station, KIYE 88.7 FM, which began broadcasting in 2013, reaches a broad spectrum of the area public and will be used for announcements and information distribution.
- Nez Perce Tribe mass email distribution will also be used to post meeting announcements. All Tribal Staff and Tribal Members with email access receive mass-distributed emails from Tribal Information Systems. Announcements approved by Department Managers can be distributed at no-charge to the Tribal Public. Informational attachments can be added at no charge insuring a wide distribution.
- Project exhibits may be displayed at community gatherings (e.g., Fall and Spring General Council Meetings).

3. Expenditure of Assessment Grant Funds The TRP does not have an active Brownfield Assessment grant. The TRP successfully completed a FY2014-2017 Brownfields Assessment Grant, Cooperative Agreement BF 00J95701, for Tribal Unit (TU) 45. The ACRES Property number is 157983. The allocated funding of \$200, 000.00 was fully expended in FY 2017.

III.C. Additional Threshold Criteria for Site-Specific Proposals Only

1. Basic Site Information

- a) The name of the site: Fort Lapwai
- b) The address of the site, including zip code: 215 Parade Ave, Lapwai, Idaho, 83540
- c) The current owner of the site: Nez Perce Tribe

2. Status and History of Contamination at the Site

- a) This site is contaminated by hazardous substances and suspected of being contaminated by petroleum.
- b) Operational history and current use(s) of the site: Throughout Fort Lapwai's history construction and renovation has implemented materials typical of the time period. Remodeling and infrastructure upgrades did not entail removal of previous structures, only additions. Fort Lapwai is a complex of three brick buildings with classic-period architecture including embossed tin ceiling tiles and quality finish-carpentry details eligible for listing on the National Historic Register. These buildings occupy prominent positions around the parade grounds of old Fort Lapwai. Two of the buildings are vacant and deteriorating. The other is occupied by the Nez Perce Tribe Social Services Department. The known history of the site is listed below.
 - 1862 – The U.S. Army established Camp Lapwai in response to illegal gold miners trespassing on the Reservation.
 - 1863 – Fort Lapwai was constructed and became part of the new Idaho Territory and the area became known as the Lapwai Reservation.
 - 1885 – Fort Lapwai was converted into a government Indian boarding school.
 - 1891 – Fort Lapwai was renamed Fort Lapwai Training School.
 - 1893 – The Fort Lapwai Military Reserve was transferred to the Northern Idaho Indian Agency, now known as the Bureau of Indian Affairs (BIA).
 - 1907 – A tuberculosis sanatorium and preventorium was established at the fort site.
 - 1912 – Fort Lapwai Training School was closed and the U.S. Government (early Indian Health Service) used it as a Tuberculous Sanatorium for the regional Tribal population.
 - 1915 – A major fire occurred in the area of the City of Lapwai and may have involved the Fort Lapwai site.
 - 1926 – Four major structures were built on site.
 - 1929 – BIA Well #1 was drilled on the site.
 - 1934 – Coal bins were built; boiler and laundry were added; auxiliary nurses and teachers quarters were built; and steam tunnels were in use for heating the buildings.
 - 1942 – A fire-proof concrete wing was added to the school.
 - 1945 – The Tuberculosis Sanatorium was closed. Fire gutted the original wing of the school and destroyed all records. The Fort Lapwai Sanatorium buildings were remodeled for return to educational use and the buildings were leased to Lapwai School District.
 - 1953 – The school district obtained congressional approval to use the former government sanatorium building for K-7 classes.
 - 1957 – BIA or the Lapwai School District renovated/remodeled three structures.
 - 1957 – The Secretary of the Interior conveyed to the State of Idaho, Department of Education, Independent Class A School District No. 34, 19.00 acres of land, under Public Law 47, pursuant to the Act of June 4, 1953

- 1960 – The remaining lands were declared held in trust by the United States of America for the Nez Perce Tribe, subject to the right of the United States to use for Agency, School, or Administrative purposes, any part thereof. The above Act provided that 20 acres, more or less, plus certain, named buildings were to remain available to the Bureau of Indian Affairs for such use as provided in the Act, and the Act further provided, “....access rights to the above named properties, water, sewer, and electric power, and, light, telephone facilities, and all other facilities, incident to the use of the above properties.” Arson destroyed a major building.
 - 1990s – Lapwai School District conducted a site remodel/repair to address a mold issue.
 - 2014 – Lapwai School District abandoned the property.
- c) Environmental concerns at the site include asbestos above and below ground, PCB caulking, lead-paint, lead piping, radon, mold, vermin, other unknown hazardous materials used in period-specific building materials, as well as a motor vehicle waste fluids injection well.
- d) Section 2b above explains how the site became contaminated and provides what is known about the nature and extent of the contamination.

3. Brownfields Site Definition

EPA’s Brownfields Program defines a “brownfield site” as “...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.” Brownfield sites may also include sites contaminated by petroleum or a petroleum product. The Fort Lapwai site meets the definition and:

- a) IS NOT listed or proposed for listing on the National Priorities List;
- b) IS NOT subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
- c) IS NOT subject to the jurisdiction, custody, or control of the U.S. government.

4. Enforcement or Other Actions: In addition to the presence of brownfield sites and possible petroleum contamination, there is a threat to the drinking water system by PCE contamination from two now-closed Underground Injection Control (UIC) wells that have contaminated the alluvial aquifer in the immediate vicinity of BIA Wells #1 and #2 at the Fort Lapwai Parade Grounds. EPA issued orders to the BIA to remediate the threat in FY 2018.

5. Sites Requiring a Property-Specific Determination. A Property Specific Determination for Fort Lapwai is pending written approval from EPA Region 10 Brownfields Project Officer. Verbal approval was given by Deborah Burges EPA Region 10 Brownfields Project Officer in August 2011. A new version of the application was filled out and sent in to the EPA Project Officer in 2018. See Attachments for the Property-Specific Determination request form.

6. Threshold Criteria Related to CERCLA/Petroleum Liability

a. Property Ownership Eligibility – Hazardous Substance Sites

i. EXEMPTIONS TO CERCLA LIABILITY

(1) Applicant Does NOT/Will Not Own the Site at Time of Proposal Submission: Not Applicable

(2) **Indian Tribes** The Nez Perce Tribe is a federally recognized tribe not in Alaska. The Tribe is therefore exempt from demonstrating that they meet the requirements of a CERCLA liability defense to be eligible for a Brownfields Grant.

(3) **Alaska Native Village Corporations and Alaska Native Regional Corporations** Not Applicable

(4) **Property Acquired Under Certain Circumstances by Units of State and Local Government** Not Applicable

ii. EXCEPTIONS TO MEETING THE REQUIREMENTS FOR ASSERTING AN AFFIRMATIVE DEFENSE TO CERCLA LIABILITY Not Applicable

iii. LANDOWNER LIABILITY PROTECTIONS FROM CERCLA LIABILITY

(1) **Bona Fide Prospective Purchaser Liability Protection** Not Applicable

b. Property Ownership Eligibility – Petroleum Sites – EPA will make the determination for tribes.

i. INFORMATION REQUIRED FOR A PETROLEUM SITE ELIGIBILITY DETERMINATION

(1) **Current and Immediate Past Owners** Nez Perce Tribe with the Bureau of Indian Affairs (BIA) as Trustee.

(2) **Acquisition of Site** The Nez Perce Tribe has owned the site since time immemorial.

(3) **No Responsible Party for the Site** The BIA maintenance shop was under the control and use of the BIA.

(i) The BIA maintenance shop, now vacant, may contain hazardous materials from the decades of use for facilities and vehicle maintenance. The TRP suspects that the shop may have a motor vehicle waste fluids injection well in addition to a legacy of storage of motor fuel and fluids.

(ii) Nez Perce Tribe has owned the site since time immemorial with the BIA as Trustee.

(iii) The Nez Perce Tribe has not contributed to the presumed contamination.

(4) **Assessed by a Person Not Potentially Liable** No assessment of the BIA maintenance shop has been conducted by the Nez Perce Tribe or the BIA.

(5) **Judgments, Orders, or Third-Party Suits**

(a) No judgment has rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site.

(b) No enforcement action has been taken by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or

(c) There is no citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site.

(6) **Subject to RCRA** This site is not subject to the RCRA regulations.

(7) **Financial Viability of Responsible Parties** The BIA would be the responsible party if petroleum contamination is found during the assessment.

Section III.C.7 Waiver Request of the \$200,000 Limit for Fort Lapwai Assessment Project

Fort Lapwai (aka BIA Parade Grounds) is a complicated 30-acre site, with hazardous materials present at a magnitude and cost that exceeds the \$200,000 limit for the grant. Therefore, the Tribe is requesting a waiver of the \$200,000 limit.

Site Description: The Fort Lapwai site has been occupied by the Tribe, U.S. Army, Bureau of Indian Affairs (BIA), Indian Training School, and Lapwai School District. The site use has included Tribal encampments, army occupation, a regional tuberculosis sanitarium, a government Indian boarding school, and a public elementary school. The current site consists of several buildings with multiple types of hazardous materials present. In the center of the site, there are three 1920s brick buildings with basements - two of the buildings are vacant and deteriorating and one is occupied by the Tribe's Social Services office. Heating at the site was originally accomplished using underground steam tunnels extending 1,000-ft. or more from former underground coal fired boilers. The exact reaches and location of presumably asbestos wrapped pipe and possible other contaminants are unknown. BIA well #1 was drilled in 1929 and it is believed that lead or asbestos pipe still serves the structures with drinking water. One building had the heating oil tank and boiler removed; it is expected that there are other buried unused heating oil systems. Electrical service was established in the 1940's with PCB transformers, that have been replaced, but the older poles remain and it is expected that PCBs are present. The three brick structures are expected to have mold issues; the basements are closed off with evidence of stabilized asbestos tiles (covered in plastic), asbestos pipe insulation (temporarily stabilized), and radon (labeled) remediation ventilation piping. The vacant BIA maintenance shop and storage yard may contain hazardous materials from use in facilities and vehicle maintenance. The TRP suspects the shop may also have a motor vehicle waste fluids injection well. At a minimum, these period buildings contain asbestos, lead-based paint, PCB caulking, vermin, and mold.

Funding Limit Exceedance: The TRP has the skill and knowledge to conduct and manage the assessment of Fort Lapwai. However, considerable funding beyond the \$200,000 grant level is required to fully assess this large a site with such complex contamination issues. Assessment needs include: 1) a structural engineer to determine if the buildings are reasonably safe to enter for asbestos and other testing, will structurally withstand the presumed removal activities; 2) asbestos assessment; 3) a Geophysics Survey to establish locations of all underground utilities; 4) an excavator/operator to dig test pits of steam tunnels/water service lines/injection wells; 5) analysis of soils for lead, PCB, asbestos, petroleum and hazardous chemicals associated with injection wells; and 6) rental/training of X-Ray Fluorescence Metal Analyzer to assess the amount of lead paint on structures to be remediated.

Justification: Lapwai is a small rural community (pop. 2,529) with ninety percent (90%) of the population identifying as Native American. Like many other tribal governments, the Nez Perce Tribe is confronting poverty and its collateral damage of crime, unemployment, family disruption, housing shortage, and lack of educational and employment opportunities for its members, all while having large tracts of land and/or buildings that are in need of assessment so that the sites can return to productive use and benefit for the community. The tribal government attempts to address these problems, but its programs and needs are chronically and unavoidably under-funded and in need of support from outside sources.

Submission History

Last Approved
12/26/2017 (View)

[Submission Archive](#)

PROPERTY PROFILE FORM

Part II: Environmental Activities

Recipient Name: Nez Perce Tribe

Property Name: Tribal Unit 45 (TU45)

Property Alias:

Property Id: 157983

State: ID

Cooperative Agreement Type: Assessment

Cooperative Agreement Number: BF00J95701

Announcement Year: FY14

EPA Form # 6200-03 (9-2006) Form Approved
OMB Number No. 2050-0192 Expires 07-31-2019

indicates a required field.

☐ Mark this property for Deletion [?]
or mark to Disassociate from the CA

Submission Notes

Submission notes are a temporary note to your regional representative to ask questions or share comments about this work package. When the work package is approved, the submission notes are deleted. For permanent notes, please enter [Data Documentation](#)

Lead was detected in water sampling but is below the IDTL for groundwater or action levels.
The Phase II ESA is currently being written on this Assessment Project and draft report will be submitted for review 1/10/2018

Successfully updated Property Profile Information.

Environmental Assessment Information

(mandatory for Assessment Cooperative Agreements, State & Tribal Property-Specific Assessments, and TBA's, as available for Cleanup and RLF Cooperative Agreement recipients)

Activity	Start Date	Completion Date	Source of Funding	Name of Entity Providing Funds	Activity Funded	Amount of Funding Expended
Phase II Update	07/06/2016	07/19/2016	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Drill MW 5 thru 13	\$ 62,208.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Supplies_Geol Rock Trays	\$ 85.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Supplies_Keyed Alike Locks for MW	\$ 181.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Supplies_Water & Soil Sampling Materials	\$ 471.00
Phase II Update	09/20/2016	09/20/2016	US EPA - Brownfields Assessment Cooperative Agreement	EPA	MW 1 thru 13 Sample Collection	\$ 10,234.00
Phase II Update	04/29/2015	09/30/2015	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Public Outreach_Kiosk Material	\$ 512.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Public Outreach_Kiosk Poster Lamination	\$ 384.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Salary & Fringe for Kiosk Construction	\$ 1,261.00
Phase II Update	10/01/2014	09/30/2016	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Salary & Fringe performing grant management, contractual oversight, sample collection and analysis of data	\$ 13,772.00
Phase II Update	10/01/2016	06/30/2017	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Salary & Fringe Performing management, contractual oversight, sample collection and analysis of data	\$ 19,358.00
Phase II Update	07/01/2017	09/12/2017	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Salary & Fringe performing management, sample collection, pumping well testing and analysis of data	\$ 19,990.00
Phase II Update	10/01/2016	07/05/2017	US EPA - Brownfields Assessment Cooperative Agreement	EPA	1/4ly Water Sampling	\$ 16,254.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	1/4ly water sampling	\$ 9,555.00

Activity	Start Date	Completion Date	Source of Funding	Name of Entity Providing Funds	Activity Funded	Amount of Funding Expended
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Charitorization log pod fill	\$ 2,240.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Drill MW 14 thru 16	\$ 22,123.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Soil Sample MW 8	\$ 1,470.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Soil Sample_Trenches	\$ 2,180.00
Phase II Update	10/12/2016	01/27/2017	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Boise Travel	\$ 1,071.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Western Brownfield Conference	\$ 324.00
Phase II Update	10/01/2016	09/13/2017	US EPA - Brownfields Assessment Cooperative Agreement	EPA	1" submersible pump	\$ 149.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Generator Rental_1	\$ 48.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Hydrologic software	\$ 300.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Presure Transducer Chip	\$ 396.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Presure Transducer cable for deployment	\$ 200.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Safety Equip	\$ 596.00
Phase II Update	02/01/2017	05/30/2017	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Hydrogeologist Postion Advertisement	\$ 1,869.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Pro Geo Lic Renewel	\$ 60.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Single User Software Lic	\$ 1,016.00
Supplemental Assessment Update	09/01/2017	09/29/2017	US EPA - Brownfields Assessment Cooperative Agreement	EPA	Generator Rental_2	\$ 55.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Generator Rental_3	\$ 72.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Generator Rental_4Fuel	\$ 988.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Rent 2-4	\$ 1,758.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Water Analysis	\$ 6,225.00
			US EPA - Brownfields Assessment Cooperative Agreement	EPA	Water Analysis	\$ 11,724.00

EPA Assessment Funding: \$209,129.00

Leveraged Funding : \$0.00

Total Funding: \$209,129.00

NOTE: Funding marked for deletion not included in totals.

INDICATED WHETHER CLEANUP IS NECESSARY:

This data is very important to the Brownfields program. Please confirm that "Unknown" is the correct response.

☐ Yes



EPA - Region 10 Brownfields Site Eligibility Worksheet

(Updated: 4/3/17)

This worksheet is intended for EPA Region 10 Brownfields Cooperative Agreement Recipients (referred to as "grantee") as an aid in determining site eligibility. Brownfields funding can only be used on sites that meet the definition of a Brownfield. While this worksheet outlines many factors to be considered in determining eligibility, it does not capture all requirements. As an optional aid, grantee's may submit the completed form to their EPA Brownfields Project Officer. EPA will review the determination and may require additional information. You may contact your Project Officer if you have any questions.

Grantee name:

Nez Perce Tribe, Water Resource Division

Date submitted to EPA: 01/29/18

Grant #:

96046311-1

Date of proposed work: Summer FY 2018

Grant type:

☐ Assessment ☐ Cleanup ☐ Revolving Loan Fund ☒ State & Tribal Response Program

Activity requested:

☒ Phase I ☒ Phase II ☒ ABCA ☐ Cleanup ☐ Other

Explain if other:

Known or Suspected Contaminant(s):

☒ Hazardous Substance(s) ☐ Petroleum

If the site has both hazardous substances and petroleum contamination that is commingled (i.e. not easily distinguishable), select the predominant contaminant. If the contamination is in distinguishable areas, then select both types of contamination.

Section A - Basic Site Information

Please attach a map of the site to assist with the determination.

A.1) Property Name:

Ft. Lapwai / BIA Grounds

A.2) Property Address:

Parade Ave / Agency Rd.

A.3) City:

Lapwai

State:

ID

Zip Code:

83540

A.4) Cross street (if applicable):

A.5) State Facility # (if applicable):

A.6) Tax Lot Number(s) and County:

RPE354W0881115; Nez Perce County

A.7) Site Description (acreage, dimensions, GPS coordinates, etc):

Ft Lapwai is a 36 acre site, located at Lat. 46 deg. 23' 44.1" N; Long. 116 deg. 48'08.1" in the NW ¼, Sec 11; Township: 35 N; Range:04W Boise

A.8) Who is the current property owner?

Nez Perce Tribe

A.9) Describe your relationship with the owner and their role in the work to be performed:

The Tribal Response Program personnel are employed by the owner, The Nez Perce Tribe. The owners role for this project is to establish re

A.10) Does the grantee have access to, or an access agreement for, this property?

☒ Yes ☐ No

☐ Copy of signed agreement attached

If no, explain how & when access will be acquired:

An official access agreement through Tribal Executive Committee is being processed

A.11 Explain why you want to assess/clean-up this property. What is the desired reuse? Is there a prospective purchaser interested in the property? Is the transaction time sensitive? Include any other details that you believe to be relevant.

The property has a co-mingled history with the State of Idaho, Nez Perce Tribe, Lapwai School District, Bureau of Indian Affairs and the City of Lapwai. Modern development began circa 1900's with early 20th century building materials. To bring this property into reuse, an assessment is necessary to help determine reuse. The property has the potential redevelopment/reuse as a adult educational center, elder care center, tribal offices, historic site. or all the above.

A.12) Describe the type of activities that have been conducted on the property and indicate generally when such activities took place. Identify when and how the site became/may have been contaminated; with what substance(s); the part(s) of the site that are contaminated; and, describe previous known uses. If the land has been vacant for many years or contamination is only suspected, explain why you think it needs assessment:

1862 – U.S. Army established Camp Lapwai in response to illegal gold miners trespass on the Reservation

1863 – Fort Lapwai was constructed and became part of the new Idaho Territory and the area became known as the Lapwai Reservation.

1885 – Fort Lapwai was converted into a government Indian boarding school.

1891 – Fort Lapwai was renamed Fort Lapwai Training School.

1893- Fort Lapwai Military Reserve was transferred to the Northern Idaho Indian Agency, now known as the Bureau of Indian Affairs

1907 – A tuberculosis sanatorium and preventorium was established at the fort site.

1912 – Fort Lapwai Training School was closed and the US Government (early Indian Health Service) uses it as a Tuberculous Sanatorium for NW Indians.

1915- A major fire occurred for the City of Lapwai – may have involved Fort Lapwai

1926 – Four major structures are built on site. What happened to the early buildings is not known.

1929- BIA Well #1 is drilled

1934 - Coal bins are built; boiler and laundry are added; auxiliary nurses and teachers quarters built; steam tunnels are in use for building heat

1942 – A fire proof concrete wing was added to the school.

1945 – Tuberculous Sanatorium is closed. Fire gutted the original wing of the school and destroys all the records. The Fort Lapwai Sanatorium buildings are remodeled to return to educational use; buildings leased to Lapwai School District.

1953 – School district obtains congressional approval to use the former government sanatorium building for k-7 classes.

1957 – BIA or Lapwai School District renovated / remodeled 3 structures

1957 - The Secretary of the Interior conveyed to the State of Idaho, Department of Education, Independent Class A School District No. 34, 19.00 acres of land, under Public Law 47, pursuant to the Act of June 4, 1953

1960 - Remaining lands were declared held in trust by the United States of America for the Nez Perce Tribe, subject to the right of the United States to use for Agency, School, or Administrative purposes, any part thereof. The above Act provided that 20 acres, more or less, plus certain, named buildings were to remain available to the Bureau of Indian Affairs for such use as provided in the Act, and the Act further provided, "...and also access rights to the above named properties, water, sewer, and electric power, and ,light, telephone facilities, and all other facilities, incident to the use of the above properties". Arson destroys a major building

1990s – Lapwai School District conducts a site remodel / repair to address mold issue.

2014 – Lapwai School District abandons the property

Throughout the site, modern materials of the time period were used. Remodeling of the buildings and infrastructure upgrades did not include the removal of the old- it was just added on to. It is assumed that the site has asbestos contamination below ground in steam tunnels and asbestos materials in remaining structures, lead based paint, lead piping, radon, mold, vermin and other unknown hazardous building materials associated with these structures.

SECTION B - General Eligibility

Complete this section for the requested site, regardless of contamination type.

B.1 - Sites Not Eligible for Funding by Statutes

a) Is the property listed on the National Priority List (NPL) or identified as part of a larger Superfund site under a different name?

☐ Yes ☒ No

b) Is this property located within the boundaries of Superfund site? *If yes, or unsure, check with your Project Officer to determine whether or not it is a contributor.*

☐ Yes ☒ No

c) Is the facility subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA?

☐ Yes ☒ No

d) Is the facility subject to the jurisdiction, custody, or control of the US Government? (Land held in trust by the US government for an Indian tribe is eligible)

☒ Yes ☒ No

e) Is any of the work being performed in order to comply with any federal environmental requirements?

☐ Yes ☒ No

B.2 - Sites Only Eligible for Funding with a Property Specific Determination by EPA

NOTE: The following special classes of properties require a "Property-Specific Determination" from EPA to be eligible. EPA's approval of a Property-Specific Determination will be based on whether or not awarding a grant will protect human health and the environment and either promote economic development or enable the property to be used for parks, greenways, and similar recreational or nonprofit purposes.

a) Is the site/facility subject to a planned or ongoing CERCLA removal action?

☐ Yes ☒ No ☐ Unsure

b) Has the site/facility been subject to an order or consent decree, or issued a permit by the U.S. or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA)?

☐ Yes ☒ No ☐ Unsure

c) Is the site/facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h))?

☐ Yes ☒ No ☐ Unsure

d) Is the site/facility a land disposal unit that has submitted a RCRA closure notification under subtitle of RCRA and is subject to closure requirements specified in a closure plan or permit?

☐ Yes ☒ No ☐ Unsure

d) Has the site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA?

☐ Yes ☐ No ☒ Unsure

e) Is the site currently receiving funding for remediation from the leaking Underground Storage Tank (LUST) Trust fund?

☐ Yes ☒ No ☐ Unsure

SECTION C - Hazardous Substance/Commingled Sites

Complete this section based on your response to "known or suspected contaminant" on page 1. Skip to Section D if the property is a petroleum site.

C.1 - Grantee/Owner

a) Does the grantee own the site?

☒ Yes ☐ No

NOTE: Grantees may assess hazardous substance/commingled sites which they do not own where there is substantial public benefit or other compelling reason to use public funds for the assessment, even when the owner could be considered a potential responsible party. In such cases EPA recommends documenting the rationale for doing so.

b) Has the grantee ever leased, used, or accessed, or otherwise conducted or directed activities on the property?

☐ Yes ☒ No

i) Have any of these activities contributed to contamination?

☐ Yes ☒ No

c) Did the grantee generate or transport any waste brought to the site?

☐ Yes ☒ No

NOTE: Operators, generators and transporters cannot use EPA funds to work on known or suspected hazardous or commingled contamination sites.

d) Is the grantee affiliated with the liable, or potentially liable, party?

☐ Yes ☒ No

Explain if you answered "yes" to questions b-d:

C.2 - CERCLA Liability Defense

Complete this section only if the cooperative agreement recipient owns the property. If the grantee does not own the property, skip to section "D" or "E" as appropriate.

NOTE: Because current owners of contaminated property are potentially liable under CERCLA, the grantee must demonstrate that they are not a liable party by establishing that they meet the requirements of one of the liability protections or defenses set forth in CERCLA. For more information on these liability protections, please refer to the Brownfields Law, the April 2009 Fact Sheet entitled: "EPA Brownfields Grants, CERCLA Liability and All Appropriate Inquiries," (<https://www.epa.gov/brownfields/brownfields-all-appropriate-inquiries>) and the March 6, 2003 EPA guidance entitled Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA ("Common Elements") (<http://www2.epa.gov/sites/production/files/documents/common-elem-guide.pdf>). Applicants may also call the Regional Brownfields Contact listed in Section VII with questions about eligibility.

a) If the grantee owns the property, indicate which of the following bases for determining that the grantee is not potentially liable as an owner under Section 107(a) of CERCLA applies.

☒ The grantee is a recognized tribal government entity and is not a "person" under the definition of CERCLA.

☐ The grantee acquired the property without knowledge of contamination (Innocent Landowner - CERCLA §101(35)(A)(i)).

☐ The grantee satisfies Bona Fide Prospective Purchaser (BFPP) protection (CERCLA §§101(40) and 107(r)).

☐ The grantee satisfies contiguous property owner protection for migrated contamination (CERCLA §107(q)).

☐ The grantee is a state or local government entity that acquired the property involuntarily through bankruptcy, tax delinquency, abandonment, or by exercising its power of eminent domain (Innocent Landowner - CERCLA §101(35)(A)(ii)).

All Appropriate Inquiry (AAI)

b) Has the owner conducted AAI?

☐ Yes ☒ No

c) When was the property acquired?

From time in memorial

d) When was the Phase I conducted?

None

Phase I "Shelf Life"

For properties acquired on 11/1/06 or later, one of the following must apply:

- 1) The Phase I was conducted within 180 days of property acquisition; OR*
- 2) The Phase I was conducted within 1 year AND an updated report is dated within 180 days prior to acquisition.*

e) Indicate which Phase I standard was used to conduct AAI?

- ☐ ASTM e1527-05 or ASTM e1527-13 (sites purchased after 12/31/13)
- ☐ ASTM E2247-08 (sites purchased on 3/23/09 or later & qualify as Forestland/Rural)
- ☐ ASTM e1527-05 (sites purchased between 11/1/06 and 12/31/13)
- ☐ ASTM e1527-00 or 1527-05 (sites purchased between 11/1/05 and 11/1/06)
- ☐ ASTM e1527-97 or 1527-00 (sites purchased between 5/31/97 and 11/1/05)
- ☐ ASTM e1527-97 or 1527-00 (sites purchased between 5/31/97 and 11/1/05)
- ☐ Pre-5/31/97 purchaser standard as outlined in CERCLA§101(35)B)(iv)(I)

Reasonable Steps and Continuing Obligations

f) Has the owner complied with all land use restrictions and institutional controls since acquiring the property?

☐ Yes ☒ No

g) Has the owner taken reasonable steps with respect to hazardous substance releases?

☒ Yes ☐ No

e) Has the owner provided full cooperation, assistance, and access to persons that are authorized to conduct response actions or natural resource restoration?

☒ Yes ☐ No

f) Has the owner complied with information requests and administrative subpoenas?

☒ Yes ☐ No

g) Has the owner complied with providing legally required notices?

☒ Yes ☐ No

Explain if you answered "yes" to questions f-g:

SECTION D - Petroleum Contamination Sites

Complete this section if you selected petroleum under "known or suspected contaminants" on page 1. Skip to Section E if yours is not a petroleum site.

Do you have a State determination attached?

☐ Yes ☒ No

NOTE: All petroleum sites need a written determination of eligibility by the State Environmental Agency or EPA based on the answers to Section D. Please answer these questions AND attach the State determination. The determination must address the statutory criteria. States may apply their own laws and regulations to make the petroleum site determination; if they do so, please provide their determination and rationale.

D.1 - "Relatively Low Risk"

The State or EPA will have to determine that this site is of "Relatively Low Risk" compared to other petroleum-only sites in the State. Two key questions for this determination follow:

a) Have Leaking Underground Storage Tank funds been expended at this site?

☐ Yes ☒ No ☐ Unknown

b) Have Federal Oil Pollution Act response funds been expended at this site?

☐ Yes ☒ No ☐ Unknown

D.2 - "A Site for Which there is No Viable Responsible Party"

a) Was the site last acquired through tax foreclosure, abandonment, or equivalent government proceedings?

☐ Yes ☒ No

b) Has a responsible party been identified through:

i) a judgement rendered in a court of law or an administrative order that would require any party to assess, investigate, or cleanup the site?

☐ Yes ☒ No

ii) a filed enforcement action brought by federal or state authorities that would require any party to assess, investigate, or cleanup the site?

☐ Yes ☒ No

iii) a citizen suit, contribution action or other 3rd party claim against the current or immediate past owner, that would, if successful, require that party to assess, investigate, or clean up the site?

☐ Yes ☒ No

Explain if you answered "yes" to any of the above:

c) Has the current owner done any of the following:

i) Dispensed or disposed of petroleum or petroleum product at the site?

☐ Yes ☒ No

ii) Owned the property during the dispensing or disposal of petroleum product at the site?

☐ Yes ☒ No

iii) Exacerbated the contamination at the site?

☐ Yes ☒ No

iv) Taken reasonable steps with regard to contamination at the site?

☐ Yes ☒ No

Explain if you answered "yes" to any of the above:

d) Who is the immediate past owner? US Army / Bureau of Indian Affairs / Nez Perce Tribe

e) Has the immediate past owner done any of the following?

i) Dispensed or disposed of petroleum or petroleum product at the site?

☒ Yes ☐ No

ii) Owned the property during the dispensing or disposal of petroleum product at the site?

☒ Yes ☐ No

iii) Exacerbated the contamination at the site?

☒ Yes ☐ No

iv) Taken reasonable steps with regard to contamination at the site?

☒ Yes ☐ No

Explain if you answered "yes" to any of the above:

The site has been under the control of the Bureau of Indian Affairs (BIA) and the Lapwai School District. Both parties have vehicle maintenance shops and have dispensed petroleum. The Lapwai School District has removed and closed their UST's and have a NFA from EPA. The BIA uses above ground tanks that are in current use. However the BIA maintenance shop floor has shop drains that were not closed and utilized a drywell for collection that needs to be investigated.

f) Based on the above, for purposes of brownfields funding, is there a responsible party?

☒ Yes ☐ No

Explain:

The Bureau of Indian Affairs (BIA) had and still has trustee responsibility to the Nez Perce Tribe. However, the Nez Perce Tribe is the ancestral owner of the property.

g) Is that party viable (has adequate financial resources to pay for assessment of the site)?

☒ Yes ☒ No

Explain:

The Bureau of Indian Affairs has a trust obligation to protect the interest of the Tribes assets

The petroleum site is ineligible if there is a viable responsible party. If there is no responsible party, or if there is a responsible party who is not viable, continue.

D.3 - "Cleaned Up By a Person Not Potentially Liable"

a) Has the grantee/applicant ever:

i) Exacerbated the contamination at the site?

☐ Yes ☒ No

Explain:

ii) Dispensed or disposed of petroleum or petroleum product at the site?

☐ Yes ☒ No

Explain:

iii) Explain how the grantee/applicant took "reasonable steps" with respect to the contamination:

D.4 - Sites Not "Subject to a RCRA Corrective Action Order"

a) Is the site "subject to any order issued under Sec. 9003 (h) of the Solid Waste Disposal Act?"

☐ Yes ☒ No

Explain if "yes":

SECTION E - Site Eligibility Determination

Complete your eligibility determination based on the information you provided.

Grantee Determination

- ☒ The Site is eligible for EPA Brownfields Funds.
- ☐ The Site is not eligible for EPA Brownfields Funds.
- ☒ The Site is eligible for EPA Brownfields Funds but requires EPA Property-Specific Determination.

If requiring a property-specific determination, explain why Brownfields financial assistance is needed and how it will protect human health and the environment and either promote economic development or enable the creation of, preservation of, or addition to parks, greenways undeveloped property, other recreational property, or other property used for nonprofit purposes:

This property has the potential to return to productive use, being utilized for Tribal office space, education campus, green space, elder care center or part of a historical tour of the most famous and unrecognized places in Idaho.

Name: Judy Goodson

Organization: Nez Perce Tribe

Date: 03/08/17

List any attachments that are being included to support your determination:

BIA Compound Map (circa 1950's)
Park Service Literature on site.
Unearthly Realms Literature on Ft. Lapwai acquired 04/19/11
Nez Perce School Children circa 1900

EPA Review Results

- ☐ EPA accepts the grantee's determination that the site is eligible for Brownfields funds.
- ☐ EPA has determined that the site is not eligible for Brownfields funds.
- ☐ The site is excluded from the definition of a Brownfields site in 101(39)(B) but EPA has determined the site is eligible for funding per 101(39)(C) based on the information provided by the requestor.
- ☐ EPA does not have sufficient or appropriate information to accept the grantee's determination.

Comments:

EPA Project
Officer:

Date:

EPA Staff Enforcement Screen

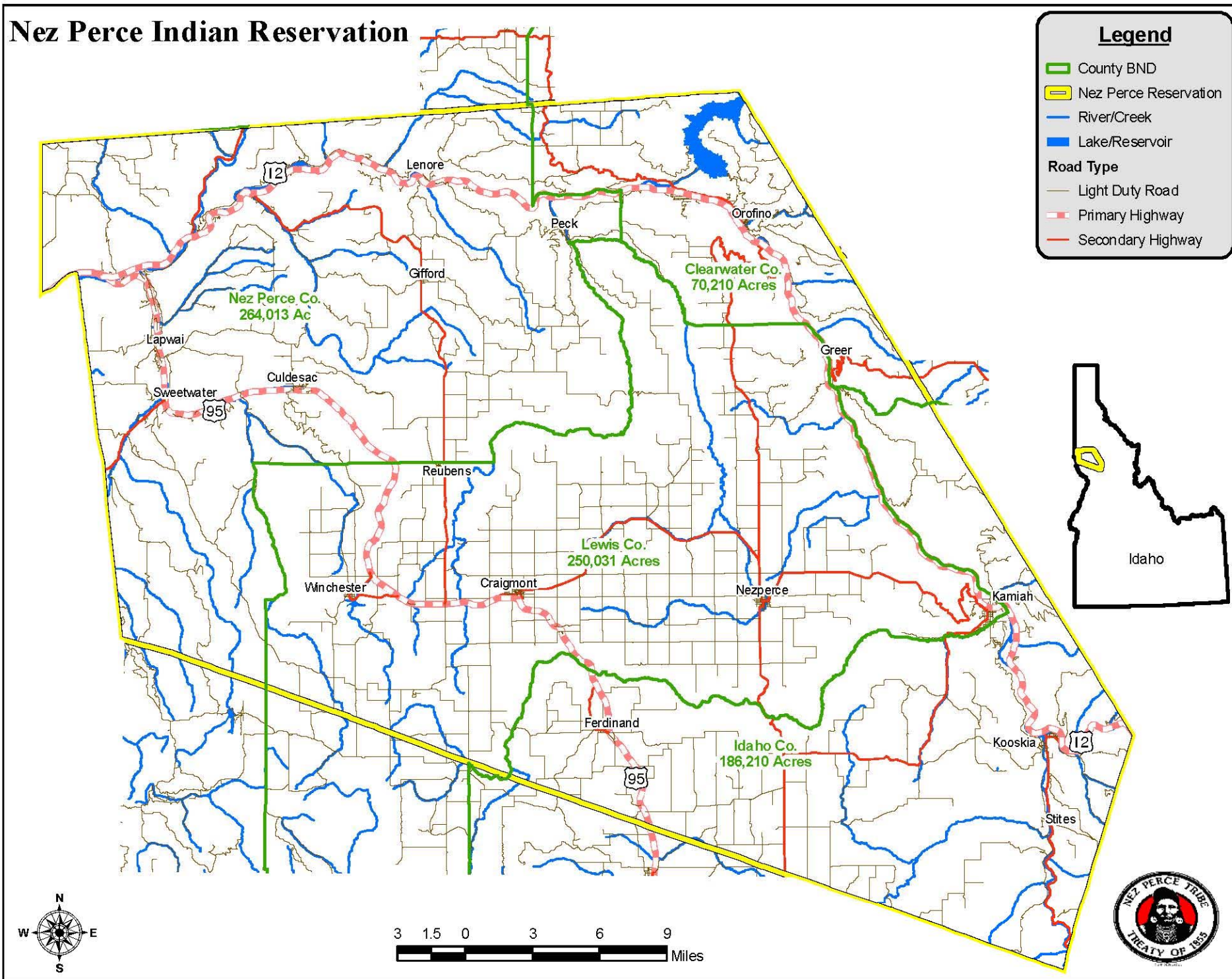
- ☐ Confirmed non-contributor to a Superfund site

Date:

Nez Perce Indian Reservation

Legend

- County BND
- Nez Perce Reservation
- River/Creek
- Lake/Reservoir
- Road Type**
- Light Duty Road
- Primary Highway
- Secondary Highway



Application for Federal Assistance SF-424

* 1. Type of Submission:

- ☐ Preapplication
☒ Application
☐ Changed/Corrected Application

* 2. Type of Application:

- ☒ New
☐ Continuation
☐ Revision

* If Revision, select appropriate letter(s):

* Other (Specify):

* 3. Date Received:

01/31/2019

4. Applicant Identifier:

Nez Perce Tribe

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

Nez Perce Tribe

* b. Employer/Taxpayer Identification Number (EIN/TIN):

820255928

* c. Organizational DUNS:

0782083030000

d. Address:

* Street1:

120 Beaver Grade Rd

Street2:

PO Box 365

* City:

Lapwai

County/Parish:

Nez Perce

* State:

ID: Idaho

Province:

* Country:

USA: UNITED STATES

* Zip / Postal Code:

83540-0365

e. Organizational Unit:

Department Name:

Water Resources

Division Name:

TRP

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name:

Jessica

Middle Name:

* Last Name:

Banaszak

Suffix:

Title:

TRP Project Manager

Organizational Affiliation:

* Telephone Number:

208-621-3902

Fax Number:

208-843-7371

* Email:

jessicab@nezperce.org

Application for Federal Assistance SF-424

* 9. Type of Applicant 1: Select Applicant Type:

I: Indian/Native American Tribal Government (Federally Recognized)

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

* 10. Name of Federal Agency:

Environmental Protection Agency

11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-18-06

* Title:

FY19 GUIDELINES FOR BROWNFIELDS ASSESSMENT GRANTS

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

1235-AreaMapfor Grants.jpg

Add Attachment

Delete Attachment

View Attachment

* 15. Descriptive Title of Applicant's Project:

Ft. Lapwai Assessment Project

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

Application for Federal Assistance SF-424**16. Congressional Districts Of:**

* a. Applicant 001-ID

* b. Program/Project 001-ID

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

17. Proposed Project:

* a. Start Date: 10/01/2019

* b. End Date: 10/31/2021

18. Estimated Funding (\$):

* a. Federal	350,000.00
* b. Applicant	0.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	350,000.00

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☒ c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. * First Name: Shannon

Middle Name: F.

* Last Name: Wheeler

Suffix:

* Title: Chariman

* Telephone Number: 208-843-7342 Fax Number: 208-843-7354

* Email: shannonw@nezperce.org

* Signature of Authorized Representative: Anthony Broncheau * Date Signed: 01/31/2019